

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

KELLY ROY, et al.

Plaintiffs,

v.

Case No. 03-C-1265

FOREST COUNTY POTAWATOMI
GROUP HEALTH DENTAL VISION AND
SHORT TERM DISABILITY PLAN,

Defendant.

ORDER

Plaintiffs have filed a statement of attorney's fees and interest incurred, and the defendant (the "Plan") has provided objections to those additional fees. The defendant's objections are persuasive; in short, I will decline to award fees incurred in preparing for the appeal, and I also conclude that the fees submitted overstate the work reasonably required to continue the prosecution of this action. Accordingly, rather than awarding the entirety of the additional fees sought, I will award the involuntary plaintiffs an additional \$5928.00 and the plaintiff an additional \$2221.49. These totals are incorporated below.

It is hereby ordered that final judgment be entered as follows:

1. The defendant Plan is ordered to process any outstanding claims relating to the care and treatment of Michelle L. Sperberg under the terms of the Plan.
2. The defendant Plan is ordered to pay plaintiff Kelly Roy \$36,744.50 in attorney's fees.

3. The defendant Plan is ordered to pay St. Joseph's Hospital \$724,149.89 plus \$39,163 ($\frac{1}{2}$ of \$78,326) in attorney's fees, for a total of \$763,312.89.

4. The defendant Plan is ordered to pay \$176,630.92 to Marshfield Clinic plus \$39,163 ($\frac{1}{2}$ of \$78,326) in attorney's fees, for a total of \$215,793.92.

SO ORDERED this 16th day of March, 2006.

s/ William C. Griesbach
William C. Griesbach
United States District Judge